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July 14, 2008

VIA Email jjf_civil@ded.uscourts.gov

The Honorable Joseph J. Farnan, Jr.
J. Caleb Boggs Federal Building
844 N. King Street
Room 4124
Lockbox 27
Wilmington, DE 19801

RE: Davenport et al v. Knight Transportation et al
Civil Action No. 06-676
Our File No. 301646

Dear Judge Farnan:

We represent defendants, Knight Transportation, Inc. and Terry Davenport, in connection with the above-referenced matter. Because of oversight, we have filed the substitution of attorney, which we believed had been filed at the end of January 2008.

As you are aware, a Pre-Trial Conference has been recently scheduled for August 6, 2008. After discussion with opposing counsel the parties jointly request a 90 day continuance of the Pre-Trial Conference in order to finalize discovery.

Defendants seek the continuance to permit the completion of discovery. As the Court is aware, the defendants' have made multiple attempts at obtaining written discovery by prior counsel. Those efforts were continued by the undersigned. Counsel for plaintiff advised that he had no staff for an extended period and that he had been struggling to perform all functions in his law office which was the reason for the delay. It was not until April 30, 2008 that defendants finally received plaintiffs' documents to the Request for Production from plaintiffs' counsel. The defendants are awaiting plaintiffs' answers to supplemental interrogatories and plaintiffs' amended discovery responses for more specific information of their interrogatory answers. Upon receipt of the records from counsel on April 30, 2008, defendants issued numerous subpoenas for records and are still following up in obtaining additional records from identified

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providers. In addition, defendants need to depose the plaintiffs and schedule plaintiff John Davenport's for possibly two Independent Medical Examinations. At present, the parties are attempting to coordinate the depositions and the IME(s). A 90 day extension of the Pre-Trial Conference date will enable the parties to complete discovery. Accordingly, defendants respectfully request a status telephone conference with your Honor and plaintiffs' counsel, in lieu of a Pre-Trial Conference on August 6, to address the issues contained herein.

Thank you for your consideration of this joint request.

Respectfully Submitted,

RAWLE & HENDERSON LLP



By:

Delia A. Clark

cc: Charles Snyderman, Esquire (via email)